

UNITED STATES DISTRICT COURT FILED
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
V.
RAUL BUGARIN, JR.

2014 NOV 26 AM 9:54
JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 14CR1463-LAB 71 DEPUTY

DAVID GUTIERREZ, RETAINED
Defendant's Attorney

REGISTRATION NO. 46808298

☐ -

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE OF THE INFORMATION

☐ was found guilty on count(s)
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
31:5332(a),(b);31:5317(c),5332(b)(2)	BULK CASH SMUGGLING; CRIMINAL FORFEITURE	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment.
The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☐ Count(s) is dismissed on the motion of the United States.

☒ Assessment : \$100.00 payable within 60 days of release from custody

☒ No fine ☒ Forfeiture pursuant to order filed 11/24/2014, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

November 24, 2014

Date of Imposition of Sentence

Larry A. Burns

HON. LARRY ALAN BURNS
UNITED STATES DISTRICT JUDGE

14CR1463-LAB

DEFENDANT: RAUL BUGARIN, JR.
CASE NUMBER: 14CR1463-LAB

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of:
12 MONTHS AND ONE DAY

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
☐ The court makes the following recommendations to the Bureau of Prisons:

- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ A.M. on _____
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ on or before
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

14CR1463-LAB

DEFENDANT: RAUL BUGARIN, JR.
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:
3 YEARS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons unless removed from the United States.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 3 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC section 3583(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check if applicable.)*
- ☐ The defendant shall participate in an approved program for domestic violence. *(Check if applicable.)*

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

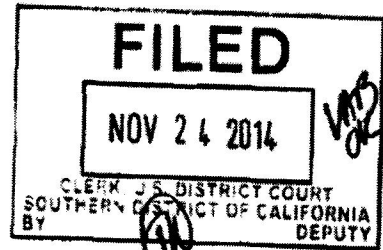
DEFENDANT: RAUL BUGARIN, JR.
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SPECIAL CONDITIONS OF SUPERVISION

1. Submit person, property, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition
2. Enter or reside in the Republic of Mexico with the permission of the probation officer.
3. Report vehicles owned or operated, or in which you have an interest, to the probation officer.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
RAUL BUGARIN, JR.,
Defendant.

Case No. 14cr1463-LAB
PRELIMINARY ORDER OF
CRIMINAL FORFEITURE

WHEREAS, in the Information in the above-captioned case, the United States seeks forfeiture of all right, title and interest in specific properties of the above-named Defendant, RAUL BUGARIN, JR. ("Defendant"), pursuant to 31 U.S.C. §§ 5317(c) and 5332(b)(2) as currency concealed within Defendant's vehicle, and transported, transferred or attempted to transport or transfer such currency from a place within the United States to a place outside the United States, to wit, the Republic of Mexico, in violation of 31 U.S.C. § 5332(a) and (b) as charged in the Information; and

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1 WHEREAS, on or about June 24, 2014, the Defendant pled
2 guilty before Magistrate Judge Ruben B. Brooks to the
3 Information; and

4 WHEREAS, on July 17, 2014, this Court accepted
5 Defendant's guilty plea; and

6 WHEREAS, by virtue of the facts set forth in the plea
7 agreement, the United States has established the requisite
8 nexus between the forfeited properties and the offense; and

9 WHEREAS, by virtue of said guilty plea, the
10 United States is now entitled to possession of said
11 properties, pursuant to 31 U.S.C. §§ 5317(c) and 5332(b)(2)
12 and Rule 32.2(b) of the Federal Rules of Criminal
13 Procedure; and

14 WHEREAS, pursuant to Rule 32.2(b), the United States
15 having requested the authority to take custody of the
16 following properties which were found forfeitable by the
17 Court, namely:

18 (1) Approximately \$75,000.00 in U.S.
19 Currency; and

20 (2) One 2004 Champagne Cadillac Escalade bearing
21 California License No. 5GCV718 and VIN No.
22 1G6DM577140152500; and

23 WHEREAS, the United States, having submitted the Order
24 herein to the Defendant through his attorney of record, to
25 review, and no objections having been received;

26 Accordingly, IT IS HEREBY ORDERED, ADJUDGED
27 AND DECREED:

28

1 1. Based upon the guilty plea of the Defendant,
2 the United States is hereby authorized to take custody and
3 control of the following assets, and all right, title and
4 interest of Defendant in the following properties is hereby
5 forfeited to the United States for disposition in
6 accordance with the law, subject to the provisions of
7 21 U.S.C. § 853(n):

8 (1) Approximately \$75,000.00 in U.S.
9 Currency; and

10 (2) One 2004 Champagne Cadillac Escalade bearing
11 California License No. 5GCV718 and VIN No.
12 1G6DM577140152500.

13 2. The aforementioned forfeited assets are to be held
14 by the U.S. Immigration and Customs Enforcement ("ICE") in
15 its secure custody and control.

16 3. Pursuant to Rule 32.2(b) and (c), the United States
17 is hereby authorized to begin proceedings consistent with
18 any statutory requirements pertaining to ancillary hearings
19 and rights of third parties.

20 4. Pursuant to the Attorney General's authority under
21 21 U.S.C. § 853(n)(1), Rule 32.2(b)(3), Fed. R. Crim. P.,
22 and Rule G(4) of the Supplemental Rules for Admiralty or
23 Maritime Claims and Asset Forfeiture Actions, the
24 United States forthwith shall publish for thirty (30)
25 consecutive days on the Government's forfeiture website,
26 www.forfeiture.gov, notice of this Order, notice of ICE's
27 intent to dispose of the properties in such manner as the
28 Attorney General may direct, and notice that any person,
other than the Defendant, having or claiming a legal

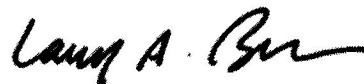
1 interest in the above-listed forfeited properties must file
2 a petition with the Court within thirty (30) days of the
3 final publication of notice or of receipt of actual notice,
4 whichever is earlier.

5 5. This notice shall state that the petition shall be
6 for a hearing to adjudicate the validity of the
7 petitioner's alleged interest in the properties, shall be
8 signed by the petitioner under penalty of perjury, and
9 shall set forth the nature and extent of the petitioner's
10 right, title or interest in the forfeited properties and
11 any additional facts supporting the petitioner's claim and
12 the relief sought.

13 6. The United States may also, to the extent
14 practicable, provide direct written notice to any person
15 known to have alleged an interest in the properties that is
16 the subject of the Preliminary Order of
17 Criminal Forfeiture.

18 7. Upon adjudication of all third-party interests,
19 this Court will enter an Amended Order of Forfeiture
20 pursuant to 21 U.S.C. § 853(n), in which all interests will
21 be addressed.

22
23 DATED: 11-24-14

24 

25
26 Honorable Larry Alan Burns
27 United States District Judge
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